

Message Text

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ACTION EB-11

INFO OCT-01 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-14 RSC-01

IO-14 OIC-04 AGR-20 CEA-02 CIAE-00 COME-00 DODE-00

FRB-03 H-03 INR-11 INT-08 L-03 LAB-06 NSAE-00 NSC-07

PA-04 AID-20 CIEP-03 SS-20 STR-08 TAR-02 TRSE-00

USIA-15 PRS-01 SP-03 FEAE-00 OMB-01 SWF-02 DRC-01

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P R 091615Z SEPT 74

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 8133

INFO AMEMBASSY MEXICO

AMEMBASSY NEW DELHI

USMISSION USUN NY

USMISSION OECD PARIS

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E.O. 11652: N/A

TAGS: EGEN, UNCTAD

SUBJECT: UNCTAD TDB XIV: CHARTER OF ECONOMIC RIGHTS AND DUTIES

REF: GENEVA 5655

1. CONTACT GROUP ADJOURNED P.M. SEPT 9 AFTER AGREEING TO INCORPORATE IN CHARTER PROVISION ON ENVIRONMENT INCLUDING THREE PHRASES ON REGULATIONS, NORMS AND OBLIGATIONS, CHINA HAVING WITHDRAWN ITS OBJECTION.

2. NO AGREEMENT WAS REACHED ON PROPOSED FORMULATIONS FOR PARAS 19, 21, AND 28.

3. IT WAS AGREED TO BEGIN TEN WORKING DAYS OF FURTHER
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CONSULTATIONS ON CHARTER ON OCT 8 IN NY.

4. TDB WILL BE ASKED SEPT 10 TO APPROVE FORWARDING REPORT OF WORKING GROUP TO UNGA, AS DESCRIBED REFTEL, PARA 9.

5. AFTER ADJOURNMENT, CASTANEDA ASKED SCHWEBEL TO HAVE CHAT. HE EXPRESSED CONCERN AT OUTLOOK, SAYING THAT PROGRESS ON NATIONALIZATION COMPLEX OF ISSUES TOO MODEST AND THAT FAILURE OF HIS EFFORT TO DELETE VARIOUS SUBJECTS FROM CHARTER WAS ALARMING. WHEN ASKED REASON FOR FAILURE OF THAT EFFORT, CASTANEDA SAID THAT FREELAND (UK) HAD PRESENTED A LIST FROM GROUP B WHICH INCLUDED ALL THE RELATIVELY UNDEBATED SUBJECTS PROPOSED BY GROUP 77 WHICH GROUP B DISLIKES, BUT NONE OF THOSE PRESSED BY GROUP B, NOTABLY, SECURITY OF SUPPLY. AS FOR GROUP OF 77, IT WAS UNWILLING IN ANY EVENT TO DELETE SOME OF ITS FAVORITES, SUCH AS PRODUCERS' ASSOCIATIONS. CASTANEDA SAID THE MORE ALL THESE SUBJECTS WERE DISCUSSED AND CRYSTALLIZED, THE MORE DIFFICULT IT WOULD BE TO DROP THEM. HE STATED THAT HE RECOGNIZED THAT USDEL HAD TAKEN A FLEXIBLE POSITION AND DONE ITS BEST TO SECURE AGREEMENT, BUT THAT NEVERTHELESS HE FEARED THAT SOME, ESPECIALLY EC, AND PERHAPS USG, NOW SEEMED TO BE LOOKING FOR A VOTING CONFRONTATION IN UNGA. SALTER (EC) HAD INSISTED THAT A PROVISION ON SECURITY OF SUPPLY IS ESSENTIAL AND THAT EC WOULD REQUIRE A VOTE THEREON IN UNGA. CASTANEDA SAID THAT HE TOLD SALTER THAT THAT MADE NO SENSE, SINCE INCLUSION OF THAT PROVISION WOULD BE VOTED DOWN BY IMMENSE MAJORITY. NEVERTHELESS, SALTER REMAINED OBDDURATE AND LIST OF SUBJECTS FOR DELETION PRESENTED BY FREELAND WAS PROVOCATIVE FROM VIEWPOINT OF GROUP OF 77. FOR ITS PART, USG COULD HAVE BEEN MORE FLEXABLE ON A MINOR MATTER LIKE ADMITTING REFERENCE TO DODIFICATION AND PROGRESSIVE DEVELOPMENT IN TRANSITIONAL PARA.

6. SCHWEBEL REPLIED THAT, IF THE TEXT OF CHARTER TURNED OUT TO BE SUBSTANTIVELY SATISFACTORY, USG MIGHT BE MORE FLEXIBLE ON THAT RELATIVELY MINOR MATTER. THE CORE OF THE PROBLEM REMAINED NATIONALIZATION COMPLEX OF ISSUES. THERE, GROUP B HAD MADE MAJOR CONCESSIONS EMBODIED IN LIMITED OFFICIAL USE

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BRILLANTES FORMULA; GROUP OF 77 HAD PROCEEDED TO POCKET THEM BUT REFUSED TO MAKE THE CONCESSIONS TOWARDS GROUP B VIEWS THAT BRILLANTES FORMULA CONTAINS. CASTANEDA CONCEDED THIS. SCHWEBEL SAID THAT, ON SUBSTANCE OF MATTER, USG AGREES WITH EC ON DESIRABILITY OF APPROPRIATE PROVISION ON SECURITY OF SUPPLY. AT SAME TIME, IT IS CONSCIOUS OF DIFFICULTY OF SECURING IT. ACCORDINGLY USG

IS WILLING TO TRADE OFF HAVING ANY SUCH PROVISION FOR EXCLUSION OF REMAINDER OF RELATIVELY UNDEBATED SUBJECTS, INCLUDING PRODUCERS ASSOCIATIONS, INDEXATION, AND RESTITUTION FOR RAVAGES OF COLONIALISM, ETC. IT IS TURE THAT EC ATTACHMENT TO SECURITY OF SUPPLY PROVISION IS PROFOUND. NEVERTHELESS, IF AGREEMENT COULD BE REACHED ON ADEQUATE TERMS OF NATIONALIZATION ARTICLE, AND IF GROUP OF 77 WERE THEN WILLING TO DROP RELATIVELY UNDEBATED SUBJECTS IN RETURN FOR DROPPING SECURITY OF SUPPLY, SCHWEBEL'S ESTIMATE WAS THAT EC WOULD NOT BLOCK THAT KIND OF DEAL. ACCORDINGLY HE ADVISED CONCENTRATING ON NATIONALIZATION ISSUES AT NY. BUT IF THAT EFFORT WAS TO SUCCEED, GROUP OF 77 WOULD HAVE TO COME OFF THE LINE CHADHA (INDIA) HAD TAKEN, WHICH INDEED OTHER GROUP OF 77 SPOKESMAN HAD NOT ENDORSED. CASTANEDA REPLIED THAT HE THOUGH CHADHA DID SPEAK FOR AN ELEMENT OF GROUP OF 77. IN GROUP OF 77 MEETINGS, CHADHA KEPT READING OUT A PROVISION OF INDIAN CONSTITUTION AND SAID INDIA COULD ACCEPT NO LESS. CASTANEDA TOLD HIM THAT WAS UNREASONABLE BUT THERE IT WAS.

7. IN ALL CASTANEDA SEEMED DOLEFUL AND DEPRESSED. HE DID REITERATE THAT MEXICO SEES NO USE IN HAVING FURTHER MEETINGS OF WORKING GROUP IN 1975. IN VIEW OF DETERIORATING INTERNATIONAL ECONOMIC CLIMATE, MEXICO BELIEVES POSSIBILITIES OF AGREEMENT ON CHARTER NEXT YEAR LIKELY TO BE WORSE THAN POSSIBILITIES NOW.

8. CONVERSATION CONCLUDED ON FRIENDLY NOTE AND ASSURANCES OF MAKING JOINT EFFORT IN NY TO SURMOUNT DIFFICULTIES. IT WAS AGREED THAT BILATERAL CONVERSATION BETWEEN MEXICO AND USDEL WOULD TAKE PLACE ON EVE OF NY NEGOTIATIONS. DALE
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